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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

District Court
Docket No. 2:10-cv-01655 (WJM) (MF)

DANIELLE SANTOMENNO, for the use and benefit of the John Hancock Trust and the John Hancock Funds II; KAREN POLEY and BARBARA POLEY, for the use and benefit of the John Hancock Funds II; DANIELLE SANTOMENNO, KAREN POLEY and BARBARA POLEY individually and on behalf of ERISA employee benefit plans that held, or continue to hold, group variable annuity contracts issued/sold by John Hancock Life Insurance Company (U.S.A.), and the participants and beneficiaries of all such ERISA covered employee benefit plans; and DANIELLE SANTOMENNO individually and on behalf of any person or entity that is a party to, or has acquired rights under, an individual or group variable annuity contract that was issued/sold by John Hancock Life Insurance Company (U.S.A.) where the underlying investment was a John Hancock proprietary fund contained in the John Hancock Trust

vs.

John Hancock Life Insurance Company (U.S.A.), John Hancock Investment Management Services, LLC, John Hancock Funds, LLC, and John Hancock Distributors, LLC,

**NOTICE OF APPEAL TO
THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

Notice is hereby given that Danielle Santomenno, Karen Poley and Barbara Poley, hereby appeal to the United States Court of Appeals for the Third Circuit from the July 24, 2013 Order dismissing all of Plaintiffs' claims in their entirety.

Respectfully submitted,

By: s/Arnold Lakind
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Counsel for Plaintiff-Appellants

Dated: August 9, 2013

CERTIFICATE OF SERVICE

This is to certify that the within Notice of Appeal was filed with the Clerk of the United States District Court for the District of New Jersey using the CM/ECF system, which will automatically provide notice to the following attorneys of record by electronic means:

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This 9th day of August, 2013

By: s/Arnold Lakind

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